



CONNECTICUT
LEGAL
RIGHTS
PROJECT, INC.

TESTIMONY OF KATHLEEN FLAHERTY, ESQ.
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APPROPRIATIONS COMMITTEE PUBLIC HEARING
FEBRUARY 23, 2017

GOVERNOR'S H.B. 7027: AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE THIRTIETH 2019, AND MAKING APPROPRIATIONS THEREFOR. With regard to the proposed budgets for DMHAS and DPH.

AGAINST: Cuts in DMHAS and DPH budgets
FOR: Continued investments in Supportive housing

Senator Formica, Senator Osten, Representative Walker and distinguished members of the Appropriations Committee:

Good afternoon. My name is Kathy Flaherty and I'm the Executive Director of Connecticut Legal Rights Project (CLRP), a statewide non-profit agency that provides legal services to low income adults with serious mental health conditions. CLRP was established in 1990 pursuant to a Consent Order which mandated that the state provide funding for CLRP to protect the civil rights of DMHAS clients who are hospitalized, as well as those clients who are living in the community. I'm also the Vice Chair of the Keep the Promise Coalition (KTP). KTP is a coalition of advocates (people living with mental health conditions, family members, mental health professionals and interested community members) with a vision of a state in which people with mental health conditions are able to live successfully in the community because they have access to housing and other community-based supports and services that are recovery oriented, person-driven and holistic in their approach to wellness. Lastly, I'm a member of the steering committee of the Connecticut Cross Disability Lifespan Alliance, an alliance of people of all ages with all disabilities who pursue a unified agenda.

I am fortunate to serve as the Executive Director of a legal services organization that advocates for low-income individuals in institutions and in the community throughout the state who live with mental health conditions. We support initiatives that integrate individuals into the community. I would not have this job but for my personal experiences of living with a psychiatric diagnosis. When you look at me, I ask you to also see the faces of all the clients that CLRP serves – and, more importantly, the faces of those who we will have to turn away if the

funds cut in the Governor's proposed budget are not restored to the DMHAS Legal Services line item.

The governor's proposal – to fund DMHAS Legal Services at “consent decree levels” - would eliminate the funding used to represent clients in housing matters, as well as force deep layoffs that will reduce staffing by nearly 50% and debilitate our capacity to represent clients on other civil rights matters. It will result in a reduction of our core services to clients. We have already been forced to reduce intake and deny services to more than 30 individuals with legal matters involving their housing in the last two weeks.

A budget is more than numbers in an Excel™ spreadsheet. The budget represents the fundamental values of this state – it reflects what kind of state we want to be and the level of services we provide to some of our most disadvantaged citizens. The cuts to the DPH budget line that funds the operation of school based health centers, and the cuts to the DMHAS grant line represent a step backward from the investments this state has made in mental health since the tragedy in Newtown. The proposed consolidation and reduced funding for the regional mental health boards and regional action councils may result in the silencing of a significant part of the community voice in terms of systems evaluation and design, prevention, and intervention.

People living with mental health conditions, and people living with intellectual and developmental disabilities, must have access to the services and supports they need to thrive in the communities of their choice. The governor's budget contains devastating cuts which I know must have been difficult to contemplate; I do not envy your task in developing a budget that will satisfy so many different populations in the state.

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The clients CLRP represents face discrimination in trying to meet their most basic needs – housing, employment, providing for themselves and their families. I think one of the reasons I have been able to maintain my recovery is that I never have had to worry about a roof over my head or food on the table – I was able to focus on regaining and maintaining my mental health. The clients CLRP serves do not have that luxury – in addition to sharing the struggle of living with a mental health condition, they live on limited incomes and often have fewer choices in where they can live.

The governor's budget does include much-needed funding for additional units of supportive housing, particularly for people living with intellectual and developmental disabilities. The governor's budget also maintains funding for DMHAS Housing and Homelessness Services. Those investments are critical to helping people maintain housing stability in the community. I join with others in thanking the governor for recognizing the importance of state investments and partnership in ending homelessness in Connecticut.

However, the governor's budget does not include any funding for the legal help that people living in that housing will need when they experience discrimination and other problems with

their housing – and I can assure you, that discrimination and other problems WILL happen, because they do every day. These funds must be restored. If they are not, we will have no choice but to lay off close to half of the very dedicated and capable attorneys and paralegal advocates who protect the rights of a marginalized population. It will ultimately cost the state more money when people who are unable to maintain their housing utilize more expensive hospital services.

CLRP has been representing clients on legal matters relating to their housing since the closure of Fairfield Hills Hospital in 1994. At that time, DMHAS recognized that stable housing was essential for their clients to sustain recovery in the community, and they understood that the state would spend far more for the homelessness and hospitalizations and possible incarcerations that were likely to result if their clients lost their housing. For 10 years, CLRP supplemented state funding with a private grant, which allowed us to expand our representation in order to represent clients statewide. When that grant expired in 2012, the state appropriated additional funds so that CLRP could continue to protect the housing rights of DMHAS clients. Ironically, as the state has continued to maintain, or even increase, investments to provide more opportunities for people to access decent, safe, and affordable housing – along with support services – the Governor is proposing to eliminate the funding for the legal representation that will protect people’s rights to get into, or stay in, that housing.

CLRP has a proven track record in successful representation of its clients in housing matters. Over the last three years, virtually every client represented by CLRP in a housing case either maintained housing or had access to housing when the case was closed. The approximately 550 clients we represent each year in housing matters would no longer receive the cost-effective CLRP services that would otherwise help prevent their homelessness.

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Connecticut has made significant strides in facing the challenge of addressing homelessness. We were the second state to be officially certified as ending homelessness for veterans. Through a collaborative effort involving many partners, all people who have been identified as “chronically” homeless are now matched to housing. There is a plan to address youth and family homelessness.

What must be recognized is that is protection of people’s legal rights to obtain, or maintain, housing is fundamental to addressing housing instability. Voucher programs and other subsidized housing programs have complicated rules that are difficult to follow. When service staff members – who are not lawyers and are not authorized to give legal advice – either take action or fail to take action, because they believe that doing something (or not doing something) will be helpful to their client, the client’s housing can be put in jeopardy. It is only through legal intervention that the client’s rights are protected. If the staff attorneys and paralegals of CLRP are not there to represent DMHAS clients in housing legal matters, no one should expect the other legal services programs to be able to pick up those cases. The legal services system in general cannot meet the legal needs of Connecticut’s low-income population. The legislative Task Force on Access to Counsel in Civil Legal Matters produced a report with several

suggestions to address those needs; however, it appears highly unlikely that the state can afford to implement its recommendations in this current budget climate.

I would like to close by expressing my appreciation to the dedicated staff of Connecticut Legal Rights Project. They continue to zealously represent our clients, despite not having received a pay increase since January, 2015. In fact, they experienced the equivalent of a 2.5% salary reduction in 2016, due to the implementation of one furlough day/month for the first half of the calendar year in order to avoid layoffs.

The legal representation provided by CLRP in housing cases matters to our clients. You have heard from many of them tonight. Housing is fundamental to recovery. If you are on social media, I encourage you to look at the #WhatHousingMeansToMe hashtag. CLRP clients and others have been sharing how important housing is to them. As I know from personal experience, having a roof over my head meant I had the emotional energy to invest in getting well and staying well. I want that same security for the clients we serve. I do not want to think of the consequences for this state – in both fiscal cost and human suffering – if CLRP is unable to provide legal representation in housing matters. Thank you.